

UNITED STATES DISTRICT COURT

for the
District of Maryland

United States of America
v.

Case No.

12 476 1 BPG

Samuel Morales

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 21, 2012 in the county of Anne Arundel in the
District of Maryland, the defendant(s) violated:

Code Section

Offense Description

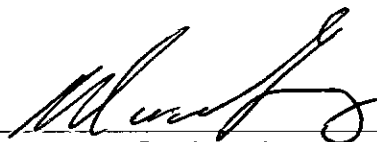
18 U.S.C. 641

Theft of Government Property

This criminal complaint is based on these facts:

See attached Affidavit of Special Agent which is attached hereto and incorporated herein by reference.

☒ Continued on the attached sheet.



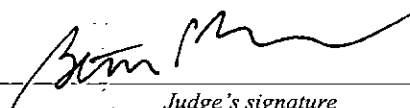
Complainant's signature

Mark Gray, Special Agent SSA/OIG/OI

Printed name and title

Sworn to before me and signed in my presence.

Date: Dec 3, 2012



Judge's signature

City and state: Baltimore, MD

Beth P. Gesner, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

SAMUEL MORALES

Defendant.

Crim. No. **12 4761 BPG**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT,
ARREST WARRANT, AND SEARCH WARRANT**

I, Mark Gray, being duly sworn, state:

1. I am a Special Agent employed by the Social Security Administration, Office of the Inspector General, Office of Investigations (SSA/OIG/OI). I am assigned to the Baltimore, Maryland Field Office. My duties include, but are not limited to, investigating fraud waste and abuse against the Social Security Administration and its programs.

Introduction and Experience

2. The facts and information contained in this affidavit are based upon my training and experience, participation in investigations, personal knowledge, and observations during the course of this investigation, as well as the observations of other agents involved in this investigation. All observations not personally made by me were relayed to me by the individuals who made them or are based on my review of records, documents, and other physical evidence obtained during the course of this investigation. This affidavit contains information necessary to support probable cause. It is not intended to include each and every fact and matter observed by me or known to the United States.

3. Based on my training and experience, individuals who commit the crime of theft often store stolen items at their personal residence and/or in attached sheds or outbuildings or garages associated with their personal residence. My training and experience includes experience as a patrol officer in North Carolina who investigated armed robbery, theft of personal property, and general burglary cases. In my experience investigating those and other theft cases, I executed search warrants, made arrests, and gathered evidence.

4. Based on my training and experience, individuals who commit theft often use mobile phones to speak to co-conspirators, dispose of stolen property, and otherwise facilitate the commission of the crime of theft. Based on my training and experience, individuals often keep documents related to ownership or possession of vehicles inside their residence, to include titles, tags, registration information, and insurance cards.

5. Based on my training and experience, individuals often keep fruits, instrumentalities, and other evidence of the crime of theft in their vehicle(s), to include the following: (a) cash or other proceeds, (b) written correspondence, notes, lists, records, documents, bank records, credit card receipts, or invoices that may pertain to the location or disposition of stolen items, (c) names, addresses, or other identifying information of co-conspirators, (d) stolen items, (e) and cell phones.

Factual Background

6. This affidavit is submitted in support of a warrant to search 8421 Jacobs Road, Severn, Maryland (SUBJECT PREMISES) and two vehicles located at the SUBJECT PREMISES (SUBJECT VEHICLES). The SUBJECT PREMISES is more particularly described in Attachment A. The SUBJECT VEHICLES are more particularly described in Attachment B. The items to be seized are described in Attachment C.

7. As provided below, there is probable cause to believe that within the SUBJECT PREMISES and SUBJECT VEHICLES, there exists evidence, fruits, and instrumentalities of the crime of Theft of Government Property, Title 18 United States Code Section 641.

8. I further submit this affidavit in support of a criminal complaint charging Samuel MORALES with theft of government property in violation of 18 U.S.C. § 641. I also respectfully request that an arrest warrant be issued for MORALES.

9. MORALES was hired by Federal Protective Service (FPS) in March 2011 to work as a security guard. For at least some, if not all, of that period he has been assigned to guard the Preston Gateway warehouse, which is a large warehouse facility in Hanover, MD, where SSA leases approximately 126,000 square feet of space.

10. Among other items stored at the Preston Gateway warehouse are large metal cabinets containing old microfiche, which SSA previously used to archive the American Statistics Index and U.S. Congressional Series. Microfiche has a high silver content and is valuable as scrap. MORALES currently works the 3:00 to 11:00 PM shift at the warehouse. There are three shifts per day, split between three guards, who each work alone guarding the warehouse.

11. The warehouse is equipped with approximately ten surveillance cameras, which monitor various locations inside and outside the warehouse, to include the warehouse loading dock. The surveillance cameras produce digital recordings for later viewing.

12. On Tuesday, November 27, 2012, the warehouse manager at Preston Gateway notified SSA OIG that 15 microfiche cabinets had gone missing. Your affiant pulled surveillance tapes from the warehouse for the prior week. Surveillance from the evening of Wednesday, November 21, shows MORALES opening the loading dock of the warehouse for

two Hispanic males driving a large blue/silver quad cab truck with an attached open trailer.

MORALES is seen speaking to the individuals, neither of whom works at the warehouse.

MORALES is seen on video staging materials for approximately one hour from 4:00 to 5:00 PM, in anticipation of loading. At approximately 6:00 PM, all three individuals begin loading equipment into the attached trailer and then strapping it down. The items loaded into the trailer cannot be made out distinctly on the video, but it appears to include metal cabinets and other metal objects. MORALES assists in loading and strapping the items before the two unidentified males drive off, approximately two hours after they arrived.

13. Surveillance video from Thanksgiving day, November 22, shows MORALES staging tan-colored metal cabinets at the loading dock in preparation for loading. MORALES opens and closes the loading dock gate and the rust-colored truck is seen on video exiting the loading dock. The video on the 22nd does not capture the loading of the truck but does capture the empty truck arriving at the warehouse and the loaded truck driving away

14. According to an agent at FPS, the approximate value of the microfiche is \$400,000.

15. Your affiant is not aware of any legitimate, work-related reason that MORALES would remove SSA property from the Preston Gateway warehouse. Your affiant is not aware of any legitimate, work-related reason that MORALES would move equipment to the loading dock through the use of a forklift, which is observed on the surveillance video.

16. Your affiant drove by the SUBJECT PREMISES on December 3, 2012 and observed the SUBJECT VEHICLES parked on the SUBJECT PREMISES. The rust-colored pickup truck with after-market rims observed on the November 22 surveillance video was parked in the driveway in front of the house, and the large blue/silver pickup truck observed on the

November 21 surveillance video was parked to the side of the house, with the same open-top trailer attached. MORALES has three large metal storage sheds on the left side of his property, which are large enough to contain the items believed stolen on November 21 and 22.

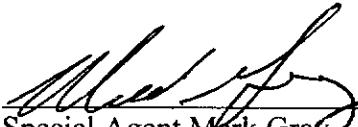
17. MORALES listed the address of the SUBJECT PREMISES on his clearance application at the time he applied for employment with FPS.

18. Information received from the Maryland Motor Vehicle Administration (MVA) indicates that MORALES has a 2006 Dodge pickup truck and 2007 Chevy pickup truck registered in his name as of December 3, 2012. Maryland MVA records further indicate that as of December 3, 2012, the address of record for the SUBJECT VEHICLES, both of which are registered in the name of MORALES, is the SUBJECT PREMISES.

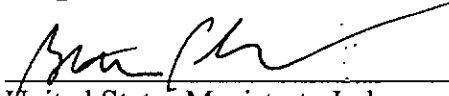
19. MORALES listed mobile phone numbers (443) 623-9892 and (410) 551-0636, which are believed to be serviced by Sprint/Nextel and Verizon, respectively, on his application at the time he applied for employment with FPS. As of December 3, 2012, the Accurint database indicates that the above-listed Sprint/Nextel phone number belongs to a Nextel mobile phone, with no name associated, and that the above-listed Verizon phone number belongs to a Verizon mobile phone in the name of MORALES.

Conclusion

20. Based upon the above information, I respectfully submit there is probable cause to search the SUBJECT PREMISES, more particularly described in Attachment A, and the SUBJECT VEHICLES, more particularly described in Attachment B, for the items to be seized, as described in Attachment C. I further submit there is probable cause to issue a criminal complaint charging Samuel MORALES with theft of government property in violation of 18 U.S.C. § 641, and to issue an arrest warrant for the same.


Special Agent Mark Gray
SSA/OIG/OI, Baltimore Office

Sworn to and subscribed to before me
this 20th day of December, 2012


United States Magistrate Judge
Baltimore, Maryland

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ATTACHMENT A

Property To Be Searched





8421 Jacobs Road, Severn, Maryland is a split-level detached house with a front yard. The home has two visible stories and a grey shingled roof with a front door frame trimmed in white facing the driveway. There are three upper story windows trimmed in white with red shutters. The home has the numbers "8421" in lettering on the top of the door frame. To the left-hand side of the property are three storage sheds, tan or beige in color, with white-frame barn-style doors, and brown-shingled angled roofs.

ATTACHMENT B

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Vehicles To Be Searched



The vehicles to be searched are two pickup trucks, depicted in the photos included with Attachments A and B, and which were observed by your affiant on December 3, 2012 and by other law enforcement agents on December 1, 2012, parked on or near the SUBJECT PREMISES. One is a rust-colored two-door 1998 Chevy pickup truck, registered in the name of MORALES, Maryland tag 22G583 and VIN 1GCEC14W3WZ150402, parked in the driveway of the SUBJECT PREMISES. The other is a blue/silver four-door Dodge pickup truck, Maryland tag 33S222 and VIN 3D7KS28D46G125633, registered in the name of MORALES, with an

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attached red-colored two trailer, observed parked on the lawn to the left of the SUBJECT PREMISES.

ATTACHMENT C

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Particular Things To Be Seized

Any and all evidence, fruits, and instrumentalities of Theft of Government Property, Title 18 United States Code 641, to include the following:

1. Any and all written correspondence, notes, lists, records, documents, or invoices that may pertain to property stored at or stolen from the Preston Gateway warehouse, or the disposition of said property.
2. Written correspondence, photographs, audio or video recordings, notes, lists, records, identification documents, passports, invoices, receipts, mail or other documents that indicate the identity of the co-conspirators depicted on surveillance video from the Preston Gateway warehouse, or other co-conspirators not identified on the surveillance video.
3. Books, records, receipts, bank statements, and bank records, ATM/Debit cards, money drafts, letters of credit, wire transfers, money orders, and cashier check, passbooks, bank checks, and any other items evidencing the obtaining, secreting, transfer, concealment and/or expenditure of money related to property stolen from the Preston Gateway warehouse.
4. Records reflecting indicia of occupancy, residency and/or ownership of the SUBJECT PREMISES, including but not limited to utility and telephone bills, mortgage, deed, lien records, U.S. Mail, including Express Mail, and other types of courier services.
5. Any items, equipment, or other property reasonably believed to belong to the Social Security Administration and/or proceeds of theft, and any items that relate to or constitute evidence, fruits, or instrumentalities of violations of 18 USC § 641, including microfiche and metal cabinets.

6. The cell phones associated with phone numbers (443) 623-9892 and (410) 551-0636. Any invoices, applications, subscriber records, or other documents related to the above-listed cell phone numbers and associated cell phones.

7. Any evidence showing ownership or use of the SUBJECT VEHICLES, including titles, insurance documents, registrations, receipts, invoices, or maintenance records.